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ATTORNEY FOR PLAINTIFF
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA, Plaintiff, vs. STEVEN THOMAS ROBINSON, Defendant.	CR 18-44-BLG-SPW-1 OFFER OF PROOF
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The United States of America, represented by Thomas K. Godfrey, Assistant United States Attorney for the District of Montana, files its Offer of Proof.

THE CHARGE

The defendant, Steven Thomas Robinson, is charged by indictment with possession with intent to distribute marijuana, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2.

PLEA AGREEMENT

There is a plea agreement in this case. The defendant will plead guilty to Count I, possession with intent to distribute marijuana, in violation of 21 U.S.C. § 841(a)(1). The United States presented all formal plea offers to the defendant in writing. The plea agreement entered into by the parties and filed with the Court represents, in the government's view, the most favorable offer extended to the defendant. *See Missouri v. Frye*, 566 U.S. 133 (2012).

ELEMENTS OF THE CHARGE TO WHICH HE WILL PLEAD

In order for the defendant to be found guilty of possession with intent to distribute marijuana, as charged in Count I of the indictment, the United States must prove each of the following elements beyond a reasonable doubt:

First, the defendant knowingly possessed marijuana; and

Second, the defendant possessed the marijuana with the intent to distribute it to another person.

Additionally, while not a formal element of the offense, the government would also have to prove beyond a reasonable doubt that the defendants possessed

with the intent to distribute 100 or more kilograms of a substance containing a detectable amount of marijuana.

PENALTY

This offense carries a mandatory minimum punishment of five to forty years imprisonment, a \$5,000,000 fine, at least four years of supervised release, and a \$100.00 special assessment.

ANTICIPATED EVIDENCE

If this case were tried in United States District Court, the United States would prove the following:

On August 30, 2017, the Eastern Montana Interdiction Task Force received information from a Drug Task Force in Hinckley MN that an RV was travelling from California to Minnesota transporting a large quantity of marijuana.

Montana Highway Patrol located the RV in the Walmart Parking lot located in Miles City MT. They began surveilling the RV. The RV left the Wal-Mart parking lot and stopped at the Gold Dust Casino Parking lot.

Law enforcement observed two occupants of the RV leave the casino and begin heading to the RV. Law enforcement walked over to them and began speaking to them. They were Steven Thomas Robinson and Vicki Lynn Robinson. They were asked for their license and registration. Vicki Robinson stated the

registration was in the RV and when she opened the door law enforcement smelled the strong odor of raw marijuana. A police K-9 then alerted to the vehicle.

Consent was requested to search from Steven Robinson who initially declined but then asked to speak with the agents away from his wife. Mr. Robinson agreed to speak with police. He admitted there were about 800 pounds of marijuana inside the vehicle. He admitted to transporting the marijuana. He stated he had delivered marijuana before and was paid \$20,000. He gave consent to search the RV and his cell phone. Inside the RV was approximately 960 pounds of marijuana. Vicki Robinson was interviewed and stated the same information about the deliveries as her husband. She said that her husband made all the arrangements with the source but that she knew what they had been transporting.

DATED this 14th day of November, 2018.

KURT G. ALME
United States Attorney

/s/ Thomas K. Godfrey
THOMAS K. GODFREY
Assistant U.S. Attorney